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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON, PORTLAND DIVISION

TRUSTEES OF THE GLAZIERS,
ARCHITECTURAL METAL AND GLASS
WORKERS LOCAL UNION NO. 740
WELFARE FUND, et al.,

Plaintiffs,

v.

ALL CITY GLASS OF OREGON LLC and
DOUGLAS T. WELLS,

Defendants.

Civil No. 3:21-cv-01084-AC

**PLAINTIFFS' MOTION FOR DEFAULT
JUDGMENT**

An order of default having been entered against defendants, plaintiffs hereby move the Court for a default judgment against defendants. This motion is made pursuant to FRCP 55(b) and is supported by the Declarations of Jerry Fisher and Cary Cadonau submitted herewith.

Plaintiffs request that judgment be entered as follows:

1. On the **First Claim for Relief**, for a judgment against All City Glass of Oregon LLC in the following amounts: \$24,992.06 in fringe benefit contributions and union dues, \$3,646.66 in liquidated damages, and \$1,467.81 in interest calculated through February 3, 2021, with interest continuing to accrue on the amount of the unpaid fringe benefit contributions (\$22,415.21) at the rate of 12% per annum from February 4, 2021, through entry of judgment, and interest continuing to accrue on the amount of the unpaid union dues (\$2,576.85) at the rate of 9% per annum from February 4, 2021, through entry of judgment;

2. On the **Second Claim for Relief**, for a judgment against Douglas T. Wells for \$5,110.43 in union dues and vacation contributions (which amount is included as part of the \$24,992.06 in fringe benefit contributions and union dues sought against All City Glass of Oregon LLC in the First Claim for Relief);

3. For a judgment against All City Glass of Oregon LLC for \$4,443.75 in attorney fees;

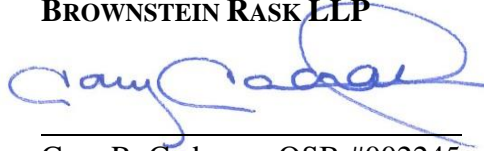
4. For a judgment against both defendants, jointly and severally, for \$702.70 in court costs; and

5. Providing that plaintiffs retain the right to conduct a future payroll examination of All City Glass of Oregon LLC's books and records in order to ensure that all required fringe benefit contributions and union dues have been paid; and that, if the payroll examination reveals that delinquent fringe benefit contributions and/or dues are owed, plaintiffs shall have the right to institute legal proceedings against All City Glass of Oregon LLC to recover the delinquent fringe benefit contributions and/or union dues found due and owing pursuant to the payroll examination

report, together with liquidated damages, interest, payroll examination fees, attorneys' fees and court costs.

DATED this 18th day of February 2022.

BROWNSTEIN RASK LLP



Cary R. Cadonau, OSB #002245
Attorney for Plaintiffs